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13 **IN THE UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

15 CLIFFORD MCKENZIE, *et al.*, on behalf
16 of themselves and all others similarly
17 situated,

18 Plaintiffs,

19 vs.

20 WELL'S FARGO BANK, N.A., *et al.*,

21 Defendants.

22 CASE NO. 3:11-CV-04965-JCS

23 **PLAINTIFFS' NOTICE OF
24 VOLUNTARY DISMISSAL,
25 WITHOUT PREJUDICE, OF
DEFENDANTS ASSURANT, INC.,
AMERICAN SECURITY
INSURANCE COMPANY, AND
QBE FIRST INSURANCE
AGENCY INC. ONLY
(FRCP 41(a)(1)(A)(i))**

26 Courtroom: G – 15th Floor
27 Judge: Hon. Joseph C. Spero

28 Plaintiffs Clifford McKenzie, Daniel Biddix, Robin Biddix, David Kibilosky and
Virginia Ryan, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure hereby
dismiss, without prejudice, defendants Assurant, Inc., American Security Insurance Company
and QBE First Insurance Agency Inc., ONLY.

1 Defendants Assurant, Inc., American Security Insurance Company and QBE First Insurance
2 Agency Inc have filed neither an answer to the complaint, nor a motion for summary judgment. A
3 class has not yet been certified in this action. Dismissal under Rule 41(a)(1) is therefore appropriate

4 Dated: April 4, 2013

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